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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/598,720	09/08/2006	Oleg Alexeevich Sukhanov	21558-002US1 2420-300525U	9293
26161	7590	04/04/2008	EXAMINER	
FISH & RICHARDSON PC P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			BARNES-BULLOCK, CRYSTAL JOY	
			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/598,720	Applicant(s) SUKHANOV ET AL.	
	Examiner Crystal J. Barnes-Bullock	Art Unit 2121	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2 and 4 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 September 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/8/06, 9/14/06, 11/29/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The following is an initial Office Action upon examination of the above-identified application on the merits. Claims 1-4 are pending in this application.

Priority

2. Applicant's claim for the benefit of a prior-filed application under 35 U.S.C. 119(e) or under 35 U.S.C. 120, 121, or 365(c) is acknowledged. Applicant has complied with one or more conditions for receiving the benefit of an earlier filing date under 35 U.S.C. 365(c).
3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

4. The examiner has considered the information disclosure statements (IDS) submitted on 8 and 14 September and 29 November 2006.

Drawings

5. The drawings are objected to because labeled representations (e.g., labeled rectangular boxes) or suitable descriptive legends are required for a proper understanding of the drawing in figure 2. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of

any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1, 2 and 4 are rejected under 35 U.S.C. 102(e) as being anticipated by USPN. 6,882,904 B1 to Petrie et al.

As per claim 1, the Petrie et al. reference discloses a system for dispatching and controlling of generation of an electric power system consisting of a plurality of power units, said system for dispatching and controlling of generation comprising a computer (see column 6 lines 14-28, "central control center 150") with a specified dispatching optimization module ("optimizes ... most efficient and cost-

effective way ... maximizing reliability, maximizing power quality, and/or minimizing cost"), said computer ("central control center 150") connected by communications means ("communication devices 109, 110, 129 and 139") to the power units ("distributed generators 103, 123 and 133"), characterized in that in the electric power system (see column 5 lines 10-12, "distributed resource management and control system") consisting of a plurality of subsystems (see column 8 lines 22-26, "power generating stations 202 and 204") each comprising a plurality of power plants ("power generating stations 202 and 204") provided with power units ("distributed generators 103, 123 and 133"), said computer ("central control center 150") is a higher-layer computer ("central control center 150") and the specified dispatching optimization module ("optimizes ... most efficient and cost-effective way ... maximizing reliability, maximizing power quality, and/or minimizing cost") is designed to determine parameters for an optimal ("optimizes ... most efficient and cost-effective way ... maximizing reliability, maximizing power quality, and/or minimizing cost") interchange of power ("power") and energy ("energy") between subsystems ("distributed generators 103, 123 and 133"), wherein said controlling system ("distributed resource management and control system") further comprises a plurality of computers (see column 6 lines 54-55, "controllers 107, 108, 127 and

137") according to a number of subsystems ("distributed generators 103, 123 and 133"), said computers ("controllers 107, 108, 127 and 137") being lower-layer computers ("controllers 107, 108, 127 and 137") each comprising a specified subsystem dispatch optimization module ("optimizes ... most efficient and cost-effective way ... maximizing reliability, maximizing power quality, and/or minimizing cost") designed to determine parameters for an optimal dispatch (see column 6 lines 35-41, "optimal run condition") of generation between power plants ("power generating stations 202 and 204") within a subsystem ("power generating stations 202 and 204"), and a unit ("central control center 150, controllers 107, 108, 127 and 137") for computation of functional characteristics ("optimal run condition") for each subsystem ("power generating stations 202 and 204, distributed generators 103, 123 and 133"), wherein each lower-layer computer ("controllers 107, 108, 127 and 137") is connected by lower-layer communications means ("communication devices 109, 110, 129 and 139") to respective power plants ("power generating stations 202 and 204") of respective subsystems ("power generating stations 202 and 204"), and said dispatching and controlling system ("distributed resource management and control system") also comprises higher-layer communications means (see column 8 lines 35-37, "communications network 310"),

wherein the lower-layer computers ("controllers 107, 108, 127 and 137") are connected to a higher-layer computer ("central control center 150") via the higher-layer communications means ("communications network 310").

As per claim 2, the Petrie et al. reference discloses the higher-layer computer ("central control center 150") is designed to compute driving variables for a plurality of subsystems ("power generating stations 202 and 204"), wherein said variables for the plurality of subsystems ("power generating stations 202 and 204") are optimal power flows ("optimizes ... most efficient and cost-effective way ... maximizing reliability, maximizing power quality, and/or minimizing cost") between subsystems ("power generating stations 202 and 204").

As per claim 4, the Petrie et al. reference discloses the lower-layer communications means ("communication devices 109, 110, 129 and 139") are provided as a telephone, digital communications (see column 5 lines 59-62, "modem"), satellite or Internet/Intranet communications network.

Allowable Subject Matter

8. Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following references are cited to further show the state of the art with respect to electrical power generation or distribution systems:

USPN 7,321,810 B2 to Mansingh et al.

USPN 5,760,492 to Kanoi et al.

US Pub. No. 2005/0137959 A1 to Yan et al.

US Pub. No. 2002/0036430 A1 to Welches et al.

JPPN 57-197606 A to KATO et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Crystal J. Barnes-Bullock whose telephone

number is 571.272.3679. The examiner can normally be reached on Monday-Friday alternate Mondays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on 571.272.2100. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Crystal J. Barnes-Bullock/
Primary Examiner, Art Unit 2121
27 March 2008